

Patent
Serial No. 09/932,103

Amendment in Reply to Final Office Action of May 4, 2006

REMARKS/ARGUMENTS

This Amendment is being filed in response to the Office Action dated May 4, 2006. Reconsideration and allowance of the application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-24 are currently pending in the Application. Claims 1, 8, 15, 20 and 23 are independent claims. Claim 23 is amended herein to be in similar form as other independent claims, namely claims 1, 8, 15 and 20. Since the construct of the limitation change is now similar as the other pending independent claims, no new search is required since this search has already been conducted. Accordingly, entrance and consideration of Claim 23 as amended is respectfully requested.

Claims 1-24 are rejected under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 6,018,768 to Ullman ("Ullman").

It is respectfully submitted that the method of Claim 1 is not anticipated or made obvious by the teachings of Ullman. For example, Ullman does disclose or suggest, a method that amongst other patentable elements, comprises (illustrative emphasis provided) "(a) detecting incoming television signals from a plurality of sources for tag information identifying the source of

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said synchronized web simulcasts; (b) establishing a communication channel to the source of said synchronized web simulcasts; (c) retrieving a number of enhanced features from the source of said synchronized web simulcasts; (d) storing said retrieved enhanced features in a storage medium for subsequent retrieval; and, (e) formatting said retrieved, enhanced features according to predetermined criteria to generate a content list" as required by Claim 1, and as substantially required by each of Claims 8, 15, 20 and 23.

The Office Action recognizes that Ullman merely produces a URL list as the Applicant has argued previously (see, Amendment submitted on November 17, 2005, page 9, lines 18-22 and the Office Action, page 2, paragraph b), yet the Office Action maintains that "Ullman discloses 'formatting retrieved features to generate a list.' This position is respectfully traversed. It is respectfully submitted that this claim element, as stated above, is neither disclosed nor suggested by Ullman.

Ullman states that "[t]he stream of URLs sent would depend on a user profile stored in the database 78 or the client software program 106 ..." (See, Ullman, Col. 7, lines 12-30 as cited in the Office Action.) "[A]ctual retrieved Web pages 102, referenced by

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the URL, are optionally time stamped to be displayed on the computer screen when predetermined related video content is displayed in the video window ... Another section of the screen is also preferably used to represent an operational control panel. This control panel provides a list of the URLs that have been broadcast ... " (See, Ullman, Col. 8, lines 22-30.)

Ullman further discusses the list to say that "[t]his control panel is updated to add a URL code each time a new URL code is received by the PC 16. This list [of URLs] gives the subscriber the flexibility to go back and retrieve particularly informative or interesting Web pages that have already been displayed earlier in the program, or alternatively, to print them out for future reference. Furthermore, the list could include URLs referring to Web pages not displayed with the broadcast program, but that provide further information on a certain topic of interest to the viewer." (See, Ullman, Col. 8, lines 31-40.) Col. 8, lines 41-67 as cited in the Office Action, Response to Arguments section (see, page 2, last line) also does not address the flaw in the Office Actions reasoning, namely that the only lists discussed anywhere within the four corners of Ullman is related to a list of URLs. While Ullman may utilize a URL list to retrieve features for

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display along with video information, Ullman does not format the retrieved, enhanced features according to predetermined criteria to generate a content list! The list of the present patent application is not merely a list of URLs but is a content list generated from the retrieved enhanced features.

In the Office Action on page 5, paragraph (e), it is indicated that a viewer can watch a music video and receive URLs as the video is received which may result in a browser downloading particular web pages from sites identified in the URLs ... On page 6, the Office Action goes on to discuss personalization of displayed web pages. The accuracy of whether this is shown in Ullman is neither disputed nor confirmed by the Applicants since it is the Applicants' position whether or not Ullman shows personalization to display a web page, this still does not read on the claim limitation. The same is said for personalization related to the received URLs (see, Office Action, page 6, lines 6-10).

Based on the foregoing, the Applicants respectfully submit that independent Claims 1, 8, 15, 20 and 23 are patentable over Ullman and notice to this effect is earnestly solicited. Claims 2-7, 9-14, 16-19, 21, 22, 24 respectively depend from one of Claims 1, 8, 15, 20 and 23 and accordingly are allowable for at least this

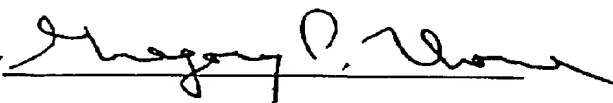
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reason as well as for the separately patentable elements contained in each of said claims. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicants have made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

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